

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3197 OF 2005

Office notes, office :
Memoranda of Coram, :
appearances, Court's : Court's or Judge's Orders
orders or directions :
& Registrar's orders :

Shri Ashok M. Sarogi, adv. for
the Petitioner.
Shri Basant Tilokani for the
Respondent No.2.

CORAM: R.S.Mohite, J.
DATE : 13th January, 2006.

P.C.:

1. This Petition is filed for setting aside the order dated 22nd December, 2005 passed by the Trial Court rejecting the application (Ex.'C') filed by the Applicant. Advocate for the Respondents points out that Application was not disposed of at all and on the contrary, the Trial Court observed that witness summons could be issued as per the list contained in the application after the

cross-examination of the first Defence Witness was over. Under the circumstances, Petition is pre-mature. Application may be decided finally by the Trial Court on merits. Petition is disposed off.

(R.S.Mohite, J.)